

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Office Action dated June 13, 2007. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-13 are currently pending in the Application. Claims 1, 5 and 10 are independent claims.

In the Office Action, the title is objected to for not being descriptive. A new title is submitted herewith which is clearly indicative of the invention to which the claims are directed. Accordingly, it is respectfully submitted that the title is now in proper form and an indication to that effect is respectfully requested.

By means of the present amendment, the specification and claims are amended for better conformance to U.S. practice, such as deleting claim number references in the specification and deleting reference designations in the claims typically used in European practice that are known to not limit the scope of the claims. Further amendments include correcting certain informalities noted upon review of the claims including deleting bulleted list notations and clarifications to what were previously submitted. By

these amendments, no new matter is added to the specification and claims and as such, consideration and entrance of the amendments to the specification and claims is respectfully requested. The specification and claims are not amended to address issues of patentability and Applicant respectfully reserves all rights under the Doctrine of Equivalents. Applicant furthermore reserves the right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or continuing applications.

Claims 1-13 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by Admitted Prior Art (APA).

The claims are amended as indicated above to clarify that the bonus information item for the first user of the recording device from the number of recorder identification information items transferred during a billing period to the authorizing device by the one or more second users of the one or more playback devices.

As made clear by the specification, (emphasis added) "[i]n accordance with the example of application, it is now further assumed that the user of the first DVD recorder 1 [the first user in terms of the claims) is so enthusiastic about the film "Vertical Limits" that he creates a copy of the DVD disk 13 for the user

[one or more second users in terms of the claims] of the second DVD recorder 2, and loans the DVD disk 13 to the user [one or more second users in terms of the claims] of the DVD player 3. It is now further assumed that the user of the second DVD recorder 2, who already has a valid account at the server 1, and that the user of the DVD player 3, who sets up a new valid account at the server 1, play back the film "Vertical Limits" with the aid of their DVD units 2 and 3, after payment of the playback charge.

Owing to these two additional playbacks of the chargeable film, the bonus determining means 21 raise by the value of two the bonus number stored in the bonus memory with reference to the first recorder identification information item RKI1. After one month, the user [the first user in terms of the claim] of the first DVD recorder 1 receives the information item that it has been possible owing to his copies of DVD disks to bill seven chargeable playbacks, for which reason his account has been credited with the amount of seven euros."

It is respectfully submitted that the method of Claim 1 is not anticipated or made obvious by the teachings of APA. For example, APA does not disclose or suggest, a method that amongst other patentable elements, comprises (illustrative emphasis provided):

obtaining a playback authorization for the coded playback information item, played back with the aid of one or more playback devices associated with corresponding one or more second users from the recording carrier or from a copy of the recording carrier, from the authorizing device identified by the link information item, in order to permit a pay per view billing of a playback charge;

...; and

determining the bonus information item for the first user of the recording device from the number of recorder identification information items transferred during a billing period to the authorizing device by the one or more second users of the one or more playback devices and identifying the recording device

as required by Claim 1, and as substantially required by each of Claims 5 and 10.

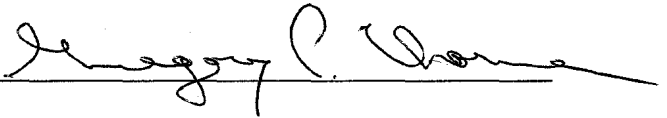
Based on the foregoing, the Applicant respectfully submits that independent Claims 1, 5 and 10 are patentable over APA and notice to this effect is earnestly solicited. Claims 2-4, 6-9 and 11-13 respectively depend from one of Claims 1, 5, and 10 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of

argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicant has made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

By 

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